

REMARKS

Claims 1 – 33 are pending in this application with claim 13 being amended by this response. Claims 1 – 12 and 22 – 33 have been withdrawn from consideration.

Objection to the Specification

The Examiner has objected to the disclosure because page 11, the statement “[insert protocol #000803]” is unclear and requires appropriate correction. The specification has been amended to include Protocol #000803 which had been inadvertently left out of the application as filed. It is respectfully submitted that no new matter has been added to this application as Protocol #000803 is clearly discussed beginning on with the last paragraph on page 9 and continuing onto page 10. The study is clearly discussed in the above identified pages of the specification and the inserted protocol is a tabular display of the discussed study performed by Applicants. Therefore, it is respectfully submitted that this objection has been satisfied and should be withdrawn.

Claims 13 – 21 are rejected under 35 U.S.C. 112, First Paragraph

Claims 13 – 21 are rejected under 35 USC, first paragraph as failing to comply with the enablement requirement for the reasons stated in the Office Action.

The Examiner states that Applicant does not clearly teach what is encompassed by “Sorbetrol”. Claim 13 has been amended to replace the rejected term “Sorbetrol” with the phrase “a compound having the chemical formula $\text{H}_2\text{SO}_4 + (\text{NH}_3)_2\text{SO}_4$ ”. The components

which are used to form "Sorbetrol" are Sulfuric Acid and Ammonia Sulfate ($\text{H}_2\text{SO}_4 + (\text{NH}_3)_2\text{SO}_4$) which is clearly disclosed in the second paragraph of page 21 of the present application. The key ingredients in forming Sorbetrol are concentrated Sulfuric Acid, Technical Grade Ammonia Sulfate and distilled water. Further, the chemical compounds identified above that comprise "Sorbetrol" are highly volatile chemicals compounds. Thus, the nature of these volatile chemicals require that the chemical reaction which produces "Sorbetrol" must be carefully controlled. Applicant further respectfully submits that the amounts of each compound which form "Sorbetrol" along with the process by which the compounds are combined is a trade secret.

In view of the above remarks and amendment to claim 13, it is respectfully submitted that Claim 13 is fully enabled by the specification and thus meets the requirement of 35 USC 112, first paragraph. As claims 14 – 21 are dependent on independent claim 13, it is respectfully submitted that claims 14 – 21 are also enabled by the specification for the same reasons as discussed above regarding claim 13. Thus, it is further respectfully submitted that this rejection has been satisfied and should be withdrawn.

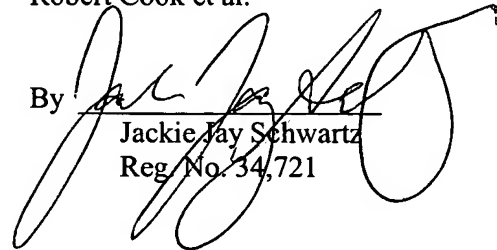
Should the Examiner have any questions, comments, or feel that a personal discussion might be helpful in advancing this case to allowance and issuance, he is cordially invited to contact Mr. Jack J. Schwartz, Esq. at 1350 Broadway, Suite 1510, New York, New York 10018, telephone number (212) 971-0416, so that the present application can receive an early notice of allowance.

In the event there are further issues remaining in any respect the Examiner is respectfully requested to telephone attorney to reach agreement to expedite issuance of this application.

No fee is believe to be due with this response. If there is a fee due, please charge the fee to Deposit Account 50-2828.

Respectfully submitted,
Robert Cook et al.

By

A large, stylized handwritten signature in black ink, appearing to read 'Jackie Jay Schwartz', is written over a horizontal line.

Jackie Jay Schwartz
Reg. No. 34,721

Dated: April 28, 2004
Jack Schwartz & Associates
1350 Broadway
Suite 1510
New York, NY 10018
Telephone (212) 971-0416
Fax: (212) 971 - 0417



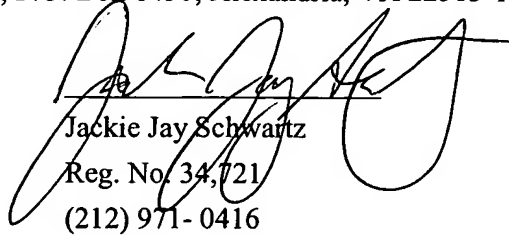
10/027,692

1043-2

CERTIFICATE OF MAILING

I hereby certify that this amendment is being deposited with the United States Postal Service as First Class Mail, postage prepaid, in an envelope addressed to the Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

4/28/04
Date: April 28, 2004


Jackie Jay Schwartz
Reg. No. 34,721
(212) 971-0416